



CNR: KAHC010352902026

NC: 2026:KHC:47776-DB
WA No. 1492 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF SEPTEMBER, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MRS. JUSTICE K.S. HEMALEKHA

WRIT APPEAL NO. 1492 OF 2026 (EDN-RES)

BETWEEN:

1. NOLAMBA LINGAYATHA SANGHA
FORMERLY NOLAMBA VEERASHAIVA SANGHA
REGISTERED UNDER THE KARNATAKA SOCIETY
REGISTRATION ACT, 1960
DAANASHOORA KAMBI SIDDARAMANNA HOSTEL
NO.1/A, 1ST CROSS
3RD STAGE, 4TH BLOCK
BASAVESHWARANAGAR
BENGALURU – 560 079
REP. BY ITS SECRETARY

...APPELLANT

(BY SRI RAVI C.S., ADVOCATE)

AND:

1. SRI BASAVARAJENDRA HIGH SCHOOL
ARASIKERE
UNDER THE MANAGEMENT OF
SREE YALANADU JAGADGURU EDUCATION SOCIETY
(REGISTRERED UNDER MYSORE SOCIETIES
REGISTRATION ACT, 1960)
ARASIKERE, HASSAN – 573 103
REPRESENTED BY ITS SECRETARY

Digitally
signed by
SRIDEVI S
Location:
High Court
of Karnataka



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2. THE STATE OF KARNATAKA
DEPARTMENT OF SCHOOL
EDUCATION AND LITERACY
REP. BY ITS PRINCIPAL SECRETARY
M.S. BUILDING, AMBEDKAR VEEDHI
BENGALURU – 560 001
3. THE COMMISSIONER
FOR SCHOOL EDUCATION
COMMISSIONER'S OFFICE
DEPARTMENT OF EDUCATION
NRUPATUNGA ROAD, BENGALURU – 560 001
4. THE DIRECTOR
OF SCHOOL EDUCATION
SECONDARY EDUCATION
NRUPATUNGA ROAD, BENGALURU – 560 001
5. THE DEPUTY DIRECTOR OF
PUBLIC INSTRUCTION
HASSAN DISTRICT, HASSAN – 573 201
6. THE BLOCK EDUCATION OFFICER
ARASIKERE TALUK
ARASIKERE, HASSAN – 573 103

...RESPONDENTS

(BY SRI S.R. KHAMROZ KHAN, AGA FOR R-2 TO R-6)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER DATED MARCH 23RD, 2026 PASSED BY THE LEARNED SINGLE JUDGE OF THIS HON'BLE COURT IN WRIT PETITION No.1429 OF 2025 (EDN-RES) & ETC.

THIS APPEAL, COMING ON FOR PRELIMINARY HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:



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CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MRS. JUSTICE K.S. HEMALEKHA

ORAL JUDGMENT

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. The appellant has filed the present appeal impugning an order dated 23.03.2026 passed by the learned Single Judge in WP.No.1429/2025 (EDN-RES).

2. Respondent No.1, Sri. Basavarajendra High School, Arasikere, had filed the said petition impugning an order dated 10.01.2025 passed by respondent No.2 under Section 39 of the Karnataka Education Act, 1983, withdrawing the recognition of Sri. Basavarajendra High School, Arasikere. The order states that recognition was withdrawn on the ground that the management of respondent No.1 School had failed to provide its own site and basic infrastructure as required under Rules 4(1)(a) and 4(1)(k) of the Karnataka Education Institutions (Recognition of Primary and Secondary Schools) Rules, 1999, and that it had failed to ensure the safety of children as per the Education Act, 1983. Accordingly, the Deputy Director, Department of Education, was directed to take appropriate measures to enrol students currently studying in 8th



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and 9th standards in nearby schools. Additionally, it was directed that all academic records be transferred to a nearby Government school. The learned Single Judge found that the reasons regarding the safety of children set out in the order dated 10.01.2025 are not sustainable.

3. Pursuant to the orders passed by the Court, the Executive Engineer of Public Works Department, Hassan Division had filed a report, which, *inter alia*, stated as under:

“4. All the 11 rooms of the building are inspected, the internal condition of the room is verified and found that the roof of the building is additionally supported with horizontal girder with 2 vertical girders support on either side of the wall, in order to increase the stability of the roof.

The arrangement of the rooms for various purposes in the school is as tabulated as here under:

Sl. No.	Arrangements of the rooms	No. of Rooms
1.	Class Rooms	6
2.	Office Room	1
3.	Staff Room	1
4.	Computer Room	1
5.	Library	1
6.	Store	1
Total		11 no's

In addition there are 2 separate rooms situated adjacent to the building for the purpose of kitchen and toilets.



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All the rooms are in good condition with required facilities for running the school. The building is provided with proper water supply and sanitisation facility and also equipped with required furnitures electrification, computer facilities etc. The roof of the Building is covered with G.I sheet roofing using steel trusses to the lower height in order to protect the RCC roof from weathering actions.

It is observed that the school building is repaired and painted recently. The photos of the building, rooms, kitchen and toilets etc are enclosed **Annexure-C**.

The panchanama for having conducted the inspection of the building in the presence of the petitioner and respondents as directed by the Hon'ble High court of Karnataka is enclosed Annexure-D.

5. Conclusion:

After detailed inspection of the building, I'm in the opinion that, the school building in question is fit for human use for running the school."

4. In view of the aforesaid report, one of the principal conditions on which the school's recognition was withdrawn was not substantiated. In the aforesaid view, the learned Single Judge had allowed the writ petition.

5. The learned counsel for the appellant states that the learned Single Judge did not appreciate the report of the Public Works Department. According to him, the report did not support the conclusion that the building was safe for use. The said contention



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is plainly unmerited and runs contrary to the plain language of the said report as set out above.

6. Insofar as the issue of title of the property is concerned, the learned Single Judge did not examine it. The order dated 10.01.2025 has been set aside solely on the ground that the principal reason set out in the said order is erroneous.

7. In view of the above, we do not find any error in the impugned judgment. The appeal is accordingly dismissed.

8. The pending applications stand disposed of.

9. We also clarify that this order does not preclude the Department of Education from re-examining other issues and taking an appropriate decision on whether the recognition should be withdrawn on the ground of title to the property.

**Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE**

**Sd/-
(K.S. HEMALEKHA)
JUDGE**